

### **REMARKS**

Claims 1-20 and 22 are pending in the application. Claims 1, 5, 11, 15, 17, 18, 20, and 22 have been amended. Claim 21 has been canceled. Applicant reserves the right to pursue the original claims in this and other applications. No new matter has been introduced and support for the claim amendments can at least be found in the specification at page 20 line 2 to page 23 line 3, and page 18 line 4 to page 20 line 1.

Claims 1-20 and 22 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,825,845 to Blair et al ("Blair"). This rejection is respectfully traversed.

Blair discloses a patient positioning system of the monument type in which monuments 506 and 508 and monuments 506' and 508' are selected by a prescribing physician on the reference image or master prescription image 500 (Fig. 7A) and the current image or X-ray image 500' (Fig. 7B), respectively (column 10, line 16-20 and column 11, lines 50-55), and then the coordinates of the target isocenter 504 relative to the monuments 506 and 508 and the coordinates of the beamline center 512 relative to the monuments 506' and 508' are determined (column 10, lines 36-61 and column 11, lines 56-62), and then the offset between the target isocenter 504 and the beamline center 512 is determined to provide a couch positioning information (column 11, line 65 to column 12, line 2).

Further, Blair suggests that the monuments may be identified by using a shape recognition software on a computer (column 12, line 37 to column 13, line 9). This, however, simply means that the shape recognition software may be used in place of the manual operation by a physician upon identifying or selecting the monuments, and the essence of the monument type positioning system is unchanged that the offset between the coordinates of the target isocenter 504 relative to the monuments 506 and 508 and the coordinates of the beamline center 512 relative to the monuments 506' and 508'.

Independent claims 1, 5, 11, 17, 18, 20, and 22 as amended relate to executing pattern matching between first image information in a first set area that is smaller than an area of the first image information and second image information in a second set area that is smaller than an area of the second image information by moving the second set area within the area of the second image information to extract the second set area having the second image information most similar to the image information in the first set area.

Blair does not teach or suggest this limitation of the independent claims. Instead, Blair teaches only the general use of shape recognition software or curve recognition software to identify monuments or curves (column 12, lines 37-62). Since Blair fails to teach setting a first and second set area that is smaller than a first and second image information, respectively, and fails to teach moving the second set area within the area of the second image information, Blair does not disclose all the limitations of claims 1, 5, 11, 17, 18, 20, and 22. Accordingly, claims 1, 5, 11, 17, 18, 20, and 22 are not anticipated by Blair. Claims 2-4 and 19 depend from claim 1 and are patentable at least for the reasons mentioned above. Claims 6-10 depend from claim 5 and are patentable at least for the reasons mentioned above. Claims 12-16 depend from claim 11 and are patentable at least for the reasons mentioned above. Applicant respectfully requests that the 35 U.S.C. § 102(b) rejection of claims 1-20 and 22 be withdrawn.

Further, independent claims 11 and 18 as amended relate to executing primary pattern matching between the first image information in the first set area and the second image information in the second set area by moving the second set area within the area of the second image information to extract the second set area having the second image information most similar to the first image information in the first set area. Independent claims 11 and 18 also relate to executing secondary pattern matching

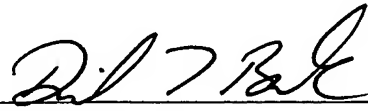
between the first image information in the first set area and the second image information in the extracted second set area by moving the second image information in the extracted second set area relative to the first image information in the first set area.

Blair does not teach or suggest these limitations of independent claims 11 and 18. Instead, Blair teaches only the general use of shape recognition software or curve recognition software to identify monuments or curves (column 12, lines 37-62). Accordingly, Applicant respectfully requests the rejection of claims 11 and 18 to be withdrawn.

It is not believed that the independent claims or their dependent claims, are anticipated by or obvious over the cited reference. In view of the above amendments and remarks, Applicant respectfully requests that the claims be allowed.

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